

REMARKS

This is in response to the Official Action of August 21, 2006. Entry of this amendment, and the election of inventions, made with traverse, is respectfully requested.

Reconsideration of the requirement for election of inventions is respectfully requested. The Examiner indicated claims 1-8, which were drawn to a drive for a tray assembly and classified in class 720, subclass 601, was a separate invention from the subject matter of claims 9-12, drawn to a processor and drive apparatus for processing a compact disc, classified in class 720, subclass 600.

The Office Action held that the inventions were distinct because they related to sub-combinations, but did not overlap in scope and were not obvious variants.

It is respectfully submitted that the claims are directed to the same invention, relating to a tray drive, and the common features of the drives on opposite sides of the tray and the slip clutches for driving the belts to permit the tray to be self aligned when it is retracted to a loaded station, are common features for the claims. These features are believed to define the same invention with claims of different scope included.

It is thus believed that the separate use, for example a tray that was not in a processor, and which did not include a processing station and a compact disc loading station, nonetheless are related due to the mechanism for moving the tray and vary in scope of claiming. Further, is it respectfully believed that the scope of the search would be substantially overlapping and perhaps identical for determining patentability.

For these reasons, it is respectfully requested that the requirement for restriction be reconsidered and withdrawn.

If the requirement for restriction is maintained, the Applicant hereby elects to prosecute the invention in Group II, namely original claims 9-12, in this application.

With this amendment, several of the dependent claims have been reorganized to depend from independent claim 9, and a new independent claim and two dependent claims have been added, which are also in the same processor and drive apparatus group.

Therefore, the claims remaining in this case after entry of this amendment if the requirement for election is maintained, which read on the Group II invention are claims 9-17, 2, 3, 6, 7 and 8.

Favorable action is respectfully requested.

Again, the Applicant provisionally elects the invention falling into Group II, with original claims 9-12, added claims 13-17, and newly amended dependent claims 2, 3, 6, 7 and 8 readable thereon.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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